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EXAMINER
APPIAH, CHARLES NANA

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ART UNIT	PAPER NUMBER
2686	8

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/588,280	KHORRAM, RAMIN
	Examiner	Art Unit
	Charles Appiah	2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 May 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by **Levine (4,336,524).**

Regarding claim 1, Levine discloses a method of using a storage module in a device comprising: receiving data in response to a request sent by the device (see col. 3, lines 11-58), identifying an automatically substituted code in the data (see col. 4, lines 9-29), replacing the code in the data with corresponding terms in the storage module prior to displaying the data (see col. 4, lines 29-33).

4. Claims 1, 4, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by **Spitznagel et al. (6,081,815).**

Regarding claim 1, Spitznagel discloses a method of using a storage module in a device comprising: receiving data in response to a request sent by the device (message including hyperlink information, (i.e., hyperlink formatted message), is received by the CCDC, for example in response to a prior transmissions by a conventional alphanumeric messaging device of a home page request, see col. 5, lines 3-18), identifying an automatically substituted code in the data (see col. 6, lines 4-55),

replacing the code in the data with corresponding terms in the storage module prior to displaying the data (see col. 6, line 56 to col. 7, line 61).

Regarding claim 4, Spitznagel further discloses wherein a term may comprise one or more of the following: a word, a phrase, a graphic element, an image, a graphic animation sequence, video clip, sound clip, applet or BLOB (see col. 6, lines 4-16).

Regarding claim 5, Spitznagel further discloses storing a plurality of code pairs in the storage module and inserting the module in the device.

Regarding claim 7, Spitznagel further shows wherein the storage module is selected from among the following: a flash memory, a Clik! Disk, an EEPROM, a magnetic storage device, an IBM MicroDrive, and an optical storage device (see col. 3, line 65 to col. 4, line 19).

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 2, 3, 5 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Spitznagel et al. (6,081,815)** as applied to claim 1 above, and further in view of **Cannon et al. (5,850,594).**

Regarding claims 2, 3 and 5 Spitznagel fails to disclose periodically updating data in the storage module and further periodically replacing the storage module in the device to contain an often-used set of terms, as well as storing a plurality of code-term pairs in the storage module and inserting the storage module into the device.

Cannon discloses a method for providing two-way communication between a portable messaging unit and a communication system in which frequently used messages with aliases are maintained in the portable messaging unit are periodically updated, when necessary, in order to match the entries stored in the system controller in order to avoid situations in which information stored in the portable unit is not equivalent to that stored in the controller database (see col. 2, lines 28-53, col. 9, line 54 to col. 10, line 6).

It would therefore have been obvious to one of ordinary skill in the art to provide the updating, when necessary feature, to Spitznagel's messaging system in order to ensure the avoidance of situations in which stored information on tow linked databases are not are not equivalent.

Regarding claim 23, the combination of Spitznagel, Cannon shows the transmitting or updating of data over a wireless connection with the capability of high bandwidth connection as taught by Cannon (see col. 2, lines, 28-53).

7. Claims 6, 10, 14-16,17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Spitznagel et al. (6,081,815)** in view of **Pepe et al. (5,673,322).**

Regarding claim 6, Spitznagel meets all limitations as applied to claim 1 above, and further shows wherein the data is received in the device over a wireless connection as illustrated in Fig. 1, but fails to specifically teach that the data is received in the device over a low bandwidth wireless.

Pepe discloses a service provider for providing data to a device and a portable device (52) having a low bandwidth connection to a network to receive formatted Web content in response to a request (see Fig. 2, col. 7, lines 10-44), the service provider including a database (inherent in WWW (Internet 68, remote proxy 66), and formatting logic to retrieve data in response to a request from the device (see col. 5, line 46 to col. 6, line 29) and transmission logic to transmit the data to the device (see col. 8, lines 6-16). Pepe further teaches the capability of a laptop computer or PDA to have direct access to the WWW from a mobile (wireless) terminal (col. 6, lines 65-67), and that protocol translations are carried out between the local proxy in the user terminal and the remote proxy in order to allow standard web browsers to support low band-width web browsing (see col. 7, lines 15-44).

It would therefore have been obvious to one of ordinary skill in the art to provide the low bandwidth connection of Pepe to the system of Spitznagel in order to transmit formatted messages to subscribers at reduced cost using low bandwidth connections.

Regarding claim 10, Spitznagel discloses a service provider for providing data service to a device, the service provider via a connection (inherent in sending of message to conventional alphanumeric messaging device), comprising: a database including a plurality of codes and associated terms (see col. 3, line 53 to col. 4, line 19), a formatting logic to retrieve the data in response to a request from the device (see col. 5, lines 3-18), a substitution logic to retrieve the data in response to a request from the device (see col. 6, line 56 to col. 7, line 61), and a transmission logic to transmit the data including the code to the device (see col. 6, lines 28-31, col. 7, lines 34-47).

Spitznagel teaches transferring data over the connection, which is a wireless connection by transmitting the codes instead of the associated data (see col. 6, lines 28-31, col. 7, lines 34-47), but fails to specifically teach that the connection to the network is a low bandwidth connection such that the bandwidth of data transferred over the low bandwidth connection is reduced.

Pepe discloses a service provider for providing data to a device and a portable device (52) having a low bandwidth connection to a network to receive formatted Web content in response to a request (see Fig. 2, col. 7, lines 10-44), the service provider including a database (inherent in WWW (Internet 68, remote proxy 66), and formatting logic to retrieve data in response to a request from the device (see col. 5, line 46 to col. 6, line 29) and transmission logic to transmit the data to the device (see col. 8, lines 6-16). Pepe further teaches the capability of a laptop computer or PDA to have direct access to the WWW from a mobile (wireless) terminal (col. 6, lines 65-67), and that protocol translations are carried out between the local proxy in the user terminal and the remote proxy in order to allow standard web browsers to support low band-width web browsing (see col. 7, lines 15-44).

It would therefore have been obvious to one of ordinary skill in the art to provide the low bandwidth connection of Pepe to the system of Spitznagel in order to transmit formatted messages to subscribers at reduced cost using low bandwidth connections.

Regarding claim 14, the combination of Spitznagel and Pepe fails to disclose periodically updating the data in the database.

However, since it is very well known in the art to provide updating of stored data in order to keep stored information current, Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art to provide for the updating of data stored in desired databases in order to provide current information to desired subscribers.

Regarding claim 15-17, Spitznagel discloses a portable device comprising a connection to a network to receive formatted Web content in response to a request (see col. 5, lines 3-18), a built-in storage module including a plurality of codes and associated data (inherent in subscriber units, personal messaging units that can receive information messages from the messaging terminal, see col. 3, lines 10-16), a substitution logic for detecting the codes in the formatted Web content and substituting the associated data for each of the codes (see col. 6, line 56 to col. 7, line 61). Spitznagel teaches transferring data over the connection, which is a wireless connection by transmitting the codes instead of the associated data (see col. 6, lines 28-31, col. 7, lines 34-47), but fails to specifically teach that the connection to the network is a low bandwidth connection such that the bandwidth of data transferred over the low bandwidth connection is reduced.

Pepe discloses a service provider for providing data to a device and a portable device (52) having a low bandwidth connection to a network to receive formatted Web content in response to a request (see Fig. 2, col. 7, lines 10-44), the service provider including a database (inherent in WWW (Internet 68, remote proxy 66), and formatting logic to retrieve data in response to a request from the device (see col. 5,

line 46 to col. 6, line 29) and transmission logic to transmit the data to the device (see col. 8, lines 6-16). Pepe further teaches the capability of a laptop computer or PDA to have direct access to the WWW from a mobile (wireless) terminal (col. 6, lines 65-67), and that protocol translations are carried out between the local proxy in the user terminal and the remote proxy in order to allow standard web browsers to support low band-width web browsing (see col. 7, lines 15-44).

It would therefore have been obvious to one of ordinary skill in the art to provide the low bandwidth connection of Pepe to the system of Spitznagel in order to transmit formatted messages to subscribers at reduced cost using low bandwidth connections.

Claim 22 is rejected for the same reasons as set forth in the rejection of claims 10 and 15above. In addition Spitznagel teaches displaying the data on the device (see col. 6, line 56 to col. 7, line 61).

8. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Spitznagel et al** as applied to claim 1 above, and further in view of **Schroeder et al. (6,405,060).**

Regarding claims 8-9, Spitznagel fails to teach statistic gathering logic for gathering statistics about the frequency of occurrence of each code and of each term in the storage module and the data respectively and transmitting the statistics for updating contents of the storage module or identifying which codes are used.

Schroeder discloses an improved user interface for a cellular telephone system with several functions including a predictive keyboard capable of inputting and displaying to a user the most commonly used characters for selected words in a

particular language (see col. 1, lines 40-59), including the use of statistical analysis of sample text to determine characters for display (see col. 5, lines 19-45). Schroeder teaches an embodiment in which a user is allowed to enter a list of words that the user frequently uses in messages and also build a character frequency table from the set of words or the phone comes a pre-defined set of character frequencies which may be modified by analyzing the character frequencies of messages entered by a user over time so that the table of frequencies automatically adapts to the types of words used by the user (see col. 5, lines 46-55), which suggests the capability of statistics gathering for modification or updating purposes as desired.

It would therefore have been obvious to one of ordinary skill in the art to combine Schroeder's teaching of statistical analysis with the system of Spitznagel in order to use statistical analysis for providing identification and/or updating or modification of stored data or information such as codes on an as needed basis.

9. Claims 11-13, 20, 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Spitznagel et al** and **Pepe et al** as applied to claims 10 and 15 above, and further in view of **Schroeder et al. (6,405,060).**

Regarding claims 11 and 20, the combination of Spitznagel and Pepe fail to teach statistic gathering logic for gathering statistics about the frequency of occurrence of each code and of each term in the storage module and the data respectively and transmitting the statistics for updating contents of the storage module or identifying which codes are used.

Schroeder discloses an improved user interface for a cellular telephone system with several functions including a predictive keyboard capable of inputting and displaying to a user the most commonly used characters for selected words in a particular language (see col. 1, lines 40-59), including the use of statistical analysis of sample text to determine characters for display (see col. 5, lines 19-45). Schroeder teaches an embodiment in which a user is allowed to enter a list of words that the user frequently uses in messages and also build a character frequency table from the set of words or the phone comes a pre-defined set of character frequencies which may be modified by analyzing the character frequencies of messages entered by a user over time so that the table of frequencies automatically adapts to the types of words used by the user (see col. 5, lines 46-55), which suggests the capability of statistics gathering for modification or updating purposes as desired.

It would therefore have been obvious to one of ordinary skill in the art to combine Schroeder's teaching of statistical analysis with the system of Spitznagel and Pepe in order to use statistical analysis for providing identification and/or updating or modification of stored data or information such as codes on an as needed basis.

Regarding claim 12, the combination of Spitznagel and Pepe fail to teach an analyzing logic to analyze statistics and determine a set of useful terms for inclusion in the database.

Schroeder further teaches the use of statistical on a sample text of a particular language and the capability of automatically being able to modify the table of character frequencies to adapt to the types of words used by the user (see col. 5, lines 19-55).

It would have been obvious to one of ordinary skill in the art to use the teaching of Schroeder with the system of Spitznagel and Pepe in order to dynamically adapt the stored data or codes to a user's preference.

Regarding claims 13 and 21, the combination of Spitznagel and Pepe as modified by Schroeder suggests statistics gathering for modification or updating purposes as desired including the capability of generating an updated data set for the database (see col. 5, lines 19-55).

Regarding claim 24, the combination of Spitznagel, Pepe, and Schroeder shows the transmitting of data over a wireless connection with the capability of high bandwidth connection, fails to show specifically updating the storage module by using a higher bandwidth connection, as selected from among the following: a wireless connection, a docking station based connection, an infrared connection and a direct connection to a network.

However, since it is very well known in the art to provide updating of stored data using a high bandwidth wireless connection and as such Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art to provide for the updating of data stored in desired memories using high band connections in order to provide current information to desired subscribers.

10. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Spitznagel et al and Pepe et al** as applied to claims 15 above, and further in view of **Kovanen et al. (5,448,765).**

Regarding claims 18-19 Spitznagel further shows wherein the storage module is selected from among the following: a flash memory, a Clik! Disk, an EEPROM, a magnetic storage device, an IBM MicroDrive, and an optical storage device (see col. 3, line 65 to col. 4, line 19). Spitznagel, however, fails to teach wherein the storage module is a removable module.

The use of removable storage devices in portable electronic devices such as a radio telephone is very well known in the art as taught for example by Kovanen. Kovanen discloses a radio (e.g. a radiotelephone having a removable memory means for (see abstract). According to Kovanen, the use of the removable memory means facilitates the updating of the radiotelephone with new functions or tailored accordance with the special requirements of the user or the system (see col. 2, lines 25-41). By configuring the radiotelephone with at least on a system-specific basis the control parameters the user is able to change radio systems in an easy and reliable manner and facilitates the use of an existing radiotelephone in other radiotelephone systems and that switching on the removable memory enables easy updating of software of a radio telephone (see col. 2, lines 42-67) and in which the removable memory can be any removable memory suited for the purpose depending on the storage capacity needed such as SRAM modules (see col. 3, line 57 to col. 4, line 7).

It would therefore have been obvious to one of ordinary skill in the art, to use the above teaching of Kovanen by using a removable memory means with the system of Spitznagel and Pepe for the benefit of being able to provide easy updating of the

telephone with new functions and information as desired, based on storage capacity needs.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gitlin et al. (5,630,207) discloses an apparatus for bandwidth reduction in a two-way paging system for transmitting messages.

Helferich (6,253,061) discloses a system for delivering information to a transmitting and receiving device.

Alterman et al. (6,041,045) discloses a communication system for accessing an information network.

Whalen et al. (5,948,066) discloses a system and method for the delivery of information over narrowband communication links.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is 703 305-4772. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 306-0377.

CA
November 15, 2003

CHARLES APPIAH
PRIMARY EXAMINER